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Date: January 22, 2008

To: Commissioner for Patents
Attention: Examiner Riggs, Art Unit 1631
Of: United States Patent and Trademark Office
Fax No.: 571-273-8300

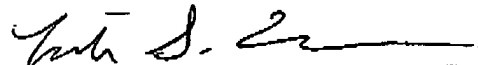
From: Linda S. Evans

Total Pages (including this page): 3

Re: Patent Application No. 10/579,458, filed May 16, 2006
Applicant: Vitiello et al.
Attorney Docket No.: PRD2091US-PCT

Certificate of transmission:

The undersigned certifies that the accompanying Response To Restriction Requirement is being transmitted to the above-referenced fax number on the above-identified date.


Linda S. Evans (Reg. No. 33,873)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Vitiello et al.

Atty. Docket: PRD2091US-PCT

US National Phase of: PCT/US2004/038648

Art Unit: 1631

International filing date: November 17, 2004

Examiner: Riggs II, Larry D.

U.S. Serial No.: 10/579,458

Confirmation No. 3414

For: Animal Models For The Systemic
Inflammatory Response To InfectionMail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

This is a response to the Office Action mailed December 27, 2007. In the event any fees are required for the filing of this response, including in connection with any necessary extension of time (for which Applicant hereby petitions), please charge such fees to Deposit Account No. 10-0750.

Claims 1-44 are pending.

In the outstanding Office Action, the Examiner set forth a requirement under 35 U.S.C. § 121 restricting Applicant to one of the following inventions: (I) claims 1-16, 41, and 42, drawn to a method for selecting a panel of biomarkers for determining the stage of sepsis in an animal; (II) claims 17-26, drawn to a method for providing survival prognosis and stage of sepsis for an animal diagnosed with sepsis; (III) claims 27-31,

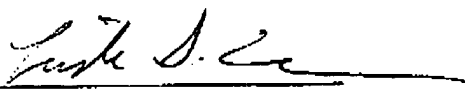
drawn to a method of testing a compound for treating sepsis; (IV) claims 32-40, drawn to a method and model system for determining a reference score for an infected group and effectiveness of a compound; and (V) claims 43 and 44, drawn to a method of treating sepsis.

Applicant hereby elects Group III, claims 27-31. This election is without traverse with respect to the restriction requirement between the elected group and each of Groups I, II, IV, and V as these groups are directed to patentably distinct inventions.

In view of the foregoing, Applicant respectfully requests prompt action on the merits of the elected claims of Group III.

Respectfully submitted,

Date: January 22, 2008


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